

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADJUSTACAM LLC

PLAINTIFF,

v.

AMAZON.COM, INC.; *et al.*,

DEFENDANTS.

Civil Action No. 6:10-cv-329-LED

**COBRA DIGITAL, LLC'S UNOPPOSED MOTION FOR LEAVE TO FILE *INSTANTER*
ITS ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT, OR,
ALTERNATIVELY, ITS UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE ITS ANSWER TO TODAY, DECEMBER 9, 2010**

Introduction/Requested Relief

1. Defendant Cobra Digital, LLC ("Cobra Digital") respectfully requests that this Court grant its unopposed motion to file *instanter* the answer to Plaintiff's First Amended Complaint, filed contemporaneously herewith as Docket No. 354.¹ Alternatively, Cobra Digital requests the Court to grant it an extension of time until today, December 9, 2010, to file its answer to Plaintiff's First Amended Complaint.

Background and Reasons for Granting the Motion

2. On November 19, 2010, Cobra Digital filed an unopposed motion for extension of time to Move, Answer, or Otherwise Respond to Plaintiff Adjustacam, LLC's Complaint. On November 22, 2010, this Court issued an Order granting Cobra Digital until November 26, 2010, a federal holiday, to file its answer.

3. This filing is not done to cause undue delay, but so that justice may be done. The

¹ In accordance with Local Rule CV-12, Cobra Digital has also filed a Second Unopposed Application for Extension of Time to Answer. *See Docket No. 353*. However, out of an abundance of caution, Cobra Digital files this motion to file *instanter* as well.

additional time is/was needed due in part to the Thanksgiving holidays, as well as Cobra Digital's efforts to find and hire the undersigned counsel in Texas. Further, this motion is UNOPPOSED. As such, no prejudice should result to any parties if this Court grants the motion.

Conclusion

4. For the foregoing reasons, Cobra Digital respectfully requests this Court to grant its motion, and to deem the answer submitted contemporaneously herewith as filed. Alternatively, Cobra Digital requests the Court to grant its unopposed motion for an extension of time until today, December 9, 2010 to file its answer. Cobra Digital requests any other, further, or alternative relief to which it may be legally or equitably entitled.

Respectfully submitted,

SHEPHERD, SCOTT, CLAWATER & HOUSTON, L.L.P.

/s/Allison Standish Miller

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**COUNSEL FOR DEFENDANT
COBRA DIGITAL, LLC**

CERTIFICATE OF CONFERENCE

I hereby certify: a) that today, December 9, 2010, William A. Scheel, an attorney in my office, contacted counsel for Plaintiff to inquire as to whether he was opposed to this motion; and b) that counsel for Plaintiff informed Mr. Scheel that he is unopposed to this motion.

/s/Allison Standish Miller

Allison Standish Miller

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other Defendants will be served in accordance with the Federal Rules of Civil Procedure.

/s/Allison Standish Miller
Allison Standish Miller